

STATE OF NEW HAMPSHIRE

INTER-DEPARTMENT COMMUNICATION

DATE: September 10, 2020

FROM: Andrew O'Sullivan
Wetlands Program Manager

AT (OFFICE): Department of
Transportation

SUBJECT Minimum Expedited Standard Dredge & Fill Application
North Hampton, 42536

TO Karl Benedict, Public Works Permitting Officer &
Eben Lewis, Coastal Region Permit Reviewer
New Hampshire Wetlands Bureau
29 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095

Bureau of
Environment

Forwarded herewith is the application package prepared by NH DOT District 6 for the subject minimum impact project. The project is located along NH Route 1A in the Town of North Hampton, NH. The proposed work consists of replacing a collapsed 12" culvert that conveys stormwater collected by a catch basin to a tidal marsh wetland. The project includes shortening the pipe from 150' to 50' in total length and installing a 10' x 10' x 2' stone lined catchment / apron at the outlet of the pipe. The proposed project is the least impacting alternative to the tidal resource while still addressing the flooding and property damage to a nearby abutter.

Through coordination with NHDES Wetlands Bureau prior to application submittal, DES, advised NHDOT that the proposed work can be classified as a tidal marsh restoration project and therefore qualifies for a project type exemption, Env-Wt 407.04(b), exempting the classification of the project based on resource type, the tidal marsh, and qualifying as a minimum impact project per Env-Wt 525.05. Additional details regarding Env-Wt 407.04(b) and Env-Wt 525.05 can be found in section 4 of the application form.

Included with the application is a waiver request form requesting some requirements within the Env-Wt 600 to be waived. Please see the wavier form for additional details.

NHDOT reviewed the project with the town conservation commission during their September 8, 2020 conservation commission meeting. The conservation commission is in support of the project and waived their rights to intervene. (See page 8 of the application form). Therefore, NHDOT has submitted this permit application as a minimum expedited project. This work is of high importance to complete this year to address the risk of ponding water and impact to the abutter.

Mitigation was determined to not be triggered by the proposed impacts and therefore is not required.

The lead people to contact for this project are Ralph Sanders, District 6 (868-1133 or Ralph.Sanders@dot.nh.gov) or Sarah Large, Wetlands Program Analyst, Bureau of Environment (271-3226 or Sarah.Large@dot.nh.gov).

A payment voucher has been processed for this application (Voucher #620369) in the amount of \$400.

If and when this application meets with the approval of the Bureau, please send the permit directly to Andrew O'Sullivan, Wetlands Program Manager, Bureau of Environment.

AMO:sel

cc:

BOE Original

Town of North Hampton (4 copies via certified mail)

David Trubey, NH Division of Historic Resources (Cultural Review Within)

Carol Henderson, NH Fish & Game (via electronic notification)

Maria Tur, US Fish & Wildlife (via electronic notification)

Beth Alafat & Jeanie Brochi, US Environmental Protection Agency (via electronic notification)

Michael Hicks & Rick Kristoff, US Army Corp of Engineers (via electronic notification)

Kevin Nyhan, BOE (via electronic notification)

Ralph Sanders & Brian Schutt, District 6 (via electronic notification)

Matt Urban, BOE (via electronic notification)



**EXPEDITED (EXP) MINIMUM IMPACT
WETLANDS PERMIT APPLICATION**
Water Division/Land Resources Management
Wetlands Bureau



[Check the Status of your Application](#)

RSA/Rule: RSA 482-A/Env-Wt 100-900

APPLICANT'S NAME: NH Dept. of Transportation

Administrative Use Only	Administrative Use Only	Administrative Use Only	File No.:
			Check No.:
			Amount:
			Initials:

SECTION 1 - CONCURRENT PROCESSING OF RELATED SHORELAND/WETLANDS PERMIT APPLICATIONS (Env-Wt 313.05)

If the applicant is not requesting concurrent processing, please proceed to Section 2.

Is the proposed project eligible for the optional concurrent processing of related shoreland/wetlands permit applications (Env-Wt 313.05(d))? If the project is not eligible, proceed to Section 2 (the files will not be processed concurrently). ☐ Yes ☐ No

By signing this form and initialing this section, the applicant is requesting concurrent processing of related shoreland/wetlands permit applications and understands that concurrently filing the applications with a request to process the applications together constitutes:

- A waiver by the applicant of the shorter time frame, if application processing timelines are different for each permit program under the 2 statutes and their implementing rules; and Initials: _____
- An agreement by the applicant that any request for additional information by the department under either or both statutes shall affect the review timeframe of both applications being processed together. Initials: _____

SECTION 2 - REQUIRED PLANNING FOR ALL PROJECTS (Env-Wt 306.05; Env-Wt 603.03; Env-Wt 603.05)

Please use the Wetland Permit Planning Tool (WPPT) or any other database or source to assist in identifying key features such as: priority resource areas (PRA), protected species or habitat, coastal area, or designated river, or designated prime wetlands.

Step 1: A certified wetland scientist must delineate and classify all wetlands and identify the predominant resource functions of each wetland, unless the exceptions listed in Env-Wt 306.05(a)(1) are met (Env-Wt 306.05(a)(1)).

Step 2: Determine whether the subject property is or contains a PRA by answering the following questions (Env-Wt 306.05(a)(2)):

1. Does the property contain any documented occurrences of protected species or habitat for such species? Please use the Natural Heritage Bureau (NHB) DataCheck Tool to make this determination. ☐ Yes ☒ No
2. Is the property a bog? Please use the WPPT "Peatland" layer (under the PRA module) for general location of bogs or any other database or source. ☐ Yes ☒ No

lrn@des.nh.gov or (603) 271-2147

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3. Is the property a floodplain wetland contiguous to a tier 3 or higher watercourse? Please use the WPPT "Floodplain Wetlands Adjacent to Tier 3 Streams" layer (under PRA module) or any other database or source.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4. Is the property a designated prime wetland or a duly-established 100-foot buffer? Please use the WPPT "Prime Wetlands" layers (under PRA module) or any other database or source.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Is the property a sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone? Please use the WPPT "Coastal" layers module and PRA module or any other database or source.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Step 3: For coastal projects that are subject to Env-Wt 600, please attach the Vulnerability Assessment (Env-Wt 603.05) and conduct the data screening required by Env-Wt 603.03.	
Step 4: Determine whether the following apply to the subject property (Env-Wt 306.05(a)(4); RSA 482-A:3, I(d)(2)):	
1. Is the property within a Local River Management Advisory Committee (LAC) jurisdiction? If yes, please provide the following information:	
<ul style="list-style-type: none"> • The project is within ¼ mile of: _____ • A copy of the application was sent to the LAC on Month: _____ Day: _____ Year: _____. 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<input type="checkbox"/> N/A (Env-Wt 311.01(e))	
2. Is the property within or does it contain any areas that are subject to time-of-year restrictions under Env-Wt 307?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Step 5: For stream crossing projects: what is the size of the watershed (Env-Wt 306.05(a)(5))? _____ acres	
<input checked="" type="checkbox"/> N/A	
Step 6: For dredge projects: is the subject property contaminated (Env-Wt 306.05(a)(6))?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> N/A	
SECTION 3 - ELIGIBILITY (Env-Wt 306.03; 310.01; 310.03)	
a. Is the project classified as minimum impact (Env-Wt 306.03)? If you answered no, you cannot use this form and must file a Standard Application form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Does your project include activities that are prohibited under RSA 482-A (Env-Wt 306.03(a))? If you answered yes, your project cannot be legally permitted.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
c. Has any work in a jurisdictional area commenced prior to obtaining the applicable approval Env-Wt 306.03(b)? If you answered yes, you cannot use this form and must file a Standard Application form.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Has any work been done on the subject property pursuant to another EXP or a statutory permit-by-notification (SPN) for a period of 12 months from the date the EXP was issued that does not meet the following criteria (Env-Wt 310.03(a))?	
<ul style="list-style-type: none"> • The proposed work is wholly unrelated to and separate from the work already done under the EXP or SPN; • The proposed work and the work already done under the EXP or SPN do not, when combined, constitute a project for which a standard permit is required. 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If you answered yes, you cannot use this form and must file a Standard Application form.	
e. Is the project located in a PRA but not subject to a classification adjustment under Env-Wt 407.02 or a project-type exception (PTE) under Env-Wt 407.04 (Env-Wt 310.01(d)(6))? If you answered yes, you cannot use this form and must file a Standard Application form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

SECTION 4 - INFORMATION ON THE PROPOSED PROJECT (Env-Wt 310.01(c))

Provide the following information on the proposed project.

Identification of the applicable minimum impact provision(s) in Env-Wt 500, Env-Wt 600, or Env-Wt 900 and the project-specific information required by those provision(s):

The project is eligible for minimum impact review in accordance with the following rules:

- Env-Wt 525.05(a)&(b) - The proposed action is not for the purpose of fulfilling the requirements of an administrative order, court order, settlement, or other enforcement proceeding obligating the applicant or another person to perform the proposed restoration/enhancement activities and;

The proposed action meets the requirements for a project-type exception specified in Env-Wt 407.04(b).

- Env Wt 407.04(b) - In accordance with Env-Wt 407.04(b)(1) the proposed project is funded in whole by State funds. Therefore, a classification based on resource type, (such as the Major classification based on the resource classified as a PRA/tidal impacts), shall not apply to restoration/enhancement projects such as this.

- Env Wt 525.01(b)(1) - provides the following definition: "Restoration/enhancement activity" means a project undertaken to restore or enhance, or both, a wetland, watercourse, or other jurisdictional area.

The proposed action meets this definition in the following ways. The project provides restoration of the natural flood storage for this area. Replacing the failed pipe will address safety concerns associated with the excess ponding of water on NH Route 1A and on adjacent properties. The proposed work will restore and enhance the functionality of the wetland whereby allowing it to provide flood attenuation/storage. Pipe replacement will allow positive flow of ponded flood/stormwater from the roadway back into the wetland.

A brief description of the project and the purpose of the project, outlining the scope of work to be performed and whether impacts are temporary or permanent, including the dimensions of the impacts in jurisdictional areas:

Replace a 12" CMP culvert with a 12" RCP and install a new precast concrete outlet headwall. The existing culvert is 150' long. The replacement culvert will be shortened to 50' in order to make maintenance of the outlet accessible and feasible and significantly minimize disturbance to the well-established marsh. A 10' X 10' X 2' stone lined catchment or apron, permanent impact, will be constructed at the outlet of the culvert. Temporary impacts are 13' X 13'. The current 12" CMP conveys storm water from one catch basin located near the drive way of 11 Ocean Boulevard. In order to better capture and treat storm water runoff in this area the catch base in will be replaced and a second catch base will be installed just south of the existing and will convey storm water through the new 12" RCP as well. Erosion control measures will be placed prior to work starting.

Identification of the type of landform to be affected, including the type of wetland:

The delineated wetland is within a Palustrine Wetland and is classified as E2SS1P-Estuarine, Intertidal, Scrub/Shrub, Broad-Leaved Deciduous, Irregularly Flooded. The wetland is covered with dense vegetation, the majority of which is 12' tall Phragmites and Purple Loosestrife. Removal and disposal of the invasives will be completed in accordance with NH DOT Best Management Practices for the Control of Invasive and Noxious Plant Species.

The number of linear feet of shoreline frontage for projects located on water bodies:
linear feet

☒ Not applicable)

SECTION 5 - PROJECT LOCATION (Env-Wt 310.01(b))

ADDRESS: NH Route 1A / Ocean Boulevard

TOWN/CITY: North Hampton

TAX MAP/LOT NUMBER: Tax Map 1/Lot 24

LATITUDE (D.ddddd): 42.953727° North

LONGITUDE (D.ddddd): -70.783846° West

NAME OF WATER BODY, WETLAND, OR OTHER JURISDICTIONAL AREA WHERE WORK IS PROPOSED: NA

Check the following box if the project is located in a PRA: ☒

Check the following box if the project is located in DESIGNATED RIVER CORRIDOR: ☐

SECTION 6 – APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env-Wt 310.01(a))

If the applicant is a trust or a company, then the name of the trust or company should be written as the applicant's name.

NAME: NH Dept. of Transportation

MAILING ADDRESS: PO Box 483

TOWN/CITY: Concord

STATE: NH

ZIP CODE: 03301

PHONE: 271-3226

SECTION 7 - AUTHORIZED AGENT INFORMATION (Env-Wt 310.01(a))

If the agent is a company, then the name of the company should be written as the agent's name.

NAME:

MAILING ADDRESS:

lrn@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

TOWN/CITY:	STATE:	ZIP CODE:
PHONE:		
SECTION 8 - PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT) (Env-Wt 310.01(a))		
If the owner is a trust or a company, then the name of the trust or company should be written as the owner's name.		
NAME:		
MAILING ADDRESS:		
TOWN/CITY:	STATE:	ZIP CODE:
PHONE:		
SECTION 9 - APPLICATION FEE (RSA 482-A:3, I)		
<input checked="" type="checkbox"/> \$400 for minimum impact projects. Please make your check or money order payable to: "Treasurer - State of NH".		

SECTION 10 - ALL APPLICABLE CONDITIONS IN Env-Wt 307 HAVE BEEN MET (Env-Wt 310.03(b); Env-Wt 307.01(b))).

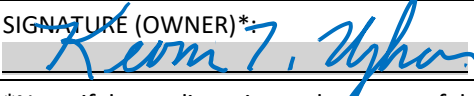



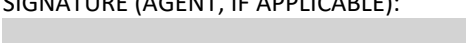


Check all conditions applicable to your project below. Please ensure that your plan design and access, construction sequence, and timing appropriately meet applicable conditions below:

- ☒ Env-Wt 307.02 US Army Corps of Engineers (USACE) Conditions
- ☒ Env-Wt 307.03 Protection of Water Quality Required
- ☐ Env-Wt 307.04 Protection of Fisheries and Breeding Areas Required **None identified through NHB nor IPaC**
- ☒ Env-Wt 307.05 Protection Against Invasive Species Required
- ☐ Env-Wt 307.06 Protection of Rare, Threatened or Endangered Species and Critical Habitat **N/A**
- ☐ Env-Wt 307.07 Consistency Required with Shoreland Water Quality Protection Act
- ☐ Env-Wt 307.08 Protection of Designated Prime Wetlands and Duly-Established 100-Foot Buffers
- ☐ Env-Wt 307.09 Shoreline Structures
- ☒ Env-Wt 307.10 Dredging Activity Conditions
- ☒ Env-Wt 307.11 Filling Activity Conditions
- ☒ Env-Wt 307.12 Restoring Temporary Impacts: Site Stabilization
- ☐ Env-Wt 307.13 Property Line Setbacks
- ☐ Env-Wt 307.14 Rock Removal
- ☒ Env-Wt 307.15 Use of Heavy Equipment in Wetlands
- ☒ Env-Wt 307.16 Adherence to Approved Plans Required
- ☐ Env-Wt 307.17 Unpermitted Activities
- ☐ Env-Wt 307.18 Reports

SECTION 11 - REQUIRED CERTIFICATIONS (Env-Wt 311.11; Env-Wt 310.01(d))**Initial each box below to certify:**

Initials: KTN	The proposed project meets the conditions and limits of the applicable minimum impact project rule.
Initials: KTN	All abutters have been notified. N/A to DOT
Initials: KTN	If the project is to repair or replace a docking structure, the docking structure is an existing legal structure. (<input checked="" type="checkbox"/> N/A)
Initials: KTN	The proposal is the alternative with the least adverse impact to jurisdictional areas, as required by Env-Wt 313.03.
Initials: KTN	The project is not an after-the-fact application.
Initials: KTN	The project is: <ul style="list-style-type: none"> • Not located in a PRA; or • Is located in a PRA but is subject to a classification adjustment under Env-Wt 407.02 or a project-type exception (PTE) under Env-Wt 407.04.
Initials: KTN	The applicant is aware of the limits of the EXP and understands and will comply with all conditions in the EXP and all applicable conditions in Env-Wt 307.
Initials: KTN	To the best of the signer's knowledge and belief, all required notifications have been provided.
Initials: KTN	The information submitted on or with the application is true, complete, and not misleading to the best of the signer's knowledge and belief.
Initials: KTN	The signer understands that: <ul style="list-style-type: none"> • The submission of false, incomplete, or misleading information constitutes grounds for NHDES to: <ol style="list-style-type: none"> 1. Deny the application. 2. Revoke any approval that is granted based on the information. And 3. If the signer is a certified wetland scientist, licensed surveyor, or professional engineer licensed to practice in New Hampshire, refer the matter to the joint board of licensure and certification established by RSA 310-A:1. • The signer is subject to the penalties specified in New Hampshire law for falsification in official matters, currently RSA 641. • The signature shall constitute authorization for the municipal conservation commission and the Department to inspect the site of the proposed project, except for minimum impact trail projects, where the signature shall authorize only the Department to inspect the site pursuant to RSA 482-A:6, II.
Initials: KTN	If the applicant is not the owner of the property, each property owner signature shall constitute certification by the signer that he or she is aware of the application being filed and does not object to the filing.

SECTION 12 - REQUIRED SIGNATURE (Env-Wt 311.04(d); Env-Wt 311.11)

SIGNATURE (OWNER)*: 	PRINT NAME LEGIBLY: Kevin T. Nyhan	09/10/2020
<p>*Note: if the applicant is not the owner of the property, each property owner also shall sign and date the application provided that property owner signatures shall not be required for transportation projects adjacent to existing rights-of-way where an easement will be obtained prior to the start of construction (Env-Wt 311.11(d)). Check the following box is your project meets this exception: <input type="checkbox"/>.</p>		
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER): 	PRINT NAME LEGIBLY: 	DATE: 
SIGNATURE (AGENT, IF APPLICABLE): 	PRINT NAME LEGIBLY: 	DATE: 

lrn@des.nh.gov or (603) 271-2147

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SECTION 13 - CONSERVATION COMMISSION SIGNATURE (Env-Wt 310.01(h))**		
The signature below certifies that the municipal Conservation Commission or, if there is no conservation commission, the local governing body, has reviewed this application and waives its right to intervene per RSA 482-A:11.		
AUTHORIZED COMMISSION SIGNATURE: <i>Lisa J. Wilson, Chair</i>	PRINT NAME LEGIBLY: <i>Lisa J. Wilson, Chair</i> <i>North Hampton Conservation Commission</i>	DATE: <i>09.08.2020</i>
SECTION 14 - LOCAL RIVER MANAGEMENT ADVISORY COMMITTEE SIGNATURE (Env-Wt 310.01(i))**		
The signature below certifies that the Local River Management Advisory Committee (LAC) waives its right to intervene per RSA 482-A:11. <input checked="" type="checkbox"/> N/A This project is <i>not</i> within a Designated River Corridor)		
AUTHORIZED LAC REPRESENTATIVE SIGNATURE:	PRINT NAME LEGIBLY:	DATE:

**Note: If the application is complete, except for the signed statement from the Conservation Commission and/or LAC, waiving their right to intervene on the project, the application will be processed under the application processing times established in RSA 482-A:3, XIV (Env-Wt 310.02(h)).

SECTION 15 - COUNTY CONSERVATION DISTRICT OR CERTIFIED WETLAND SCIENTIST SIGNATURE (Env-Wt 310.01(g))		
If required by the appropriate minimum impact project rule, please provide a signed statement by the county conservation district or certified wetland scientist (CWS) certifying compliance with all conditions of that rule.		
By signing below, the county conservation district or certified wetland scientist certifies compliance with all conditions of that rule.		
AUTHORIZED COUNTY CONSERVATION DISTRICT OR CWS SIGNATURE:	PRINT NAME LEGIBLY: N/A	DATE:
SECTION 16 - TOWN / CITY CLERK SIGNATURE (Env-Wt 310.01(f))		
As required by RSA 482-A:3, I(a)(1), I hereby certify that the municipality has received 4 copies of the application including all attachments.		
TOWN/CITY CLERK SIGNATURE: Please refer to RSA 482-A:3(a)(1): The four (4) town copies were sent via certified mail and filed directly with the town in accordance with the RSA.	PRINT NAME LEGIBLY:	
TOWN/CITY:	DATE:	

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3, I(a), (1)

1. IMMEDIATELY sign the original application form and four copies in the signature space provided above.
2. Return the signed original application form and attachments to the applicant so that the applicant may submit the application form and attachments to NHDES by mail or hand delivery.
3. IMMEDIATELY distribute a copy of the application with one complete set of attachments to each of the following bodies: the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board. And
4. Retain one copy of the application form and one complete set of attachments and make them reasonably accessible for public review.

DIRECTIONS FOR APPLICANT:

Submit the single, original permit application form bearing the signature of the Town/City Clerk, additional materials, and the application fee to NHDES by mail or hand delivery at the address at the bottom of this page.

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SECTION 13 - CONSERVATION COMMISSION SIGNATURE (Env-Wt 310.01(h))**

The signature below certifies that the municipal Conservation Commission or, if there is no conservation commission, the local governing body, has reviewed this application and waives its right to intervene per RSA 482-A:11.

AUTHORIZED COMMISSION SIGNATURE:

PRINT NAME LEGIBLY:

DATE:

SECTION 14 - LOCAL RIVER MANAGEMENT ADVISORY COMMITTEE SIGNATURE (Env-Wt 310.01(i))**

The signature below certifies that the Local River Management Advisory Committee (LAC) waives its right to intervene per RSA 482-A:11. (☒ N/A This project is *not* within a Designated River Corridor)

AUTHORIZED LAC REPRESENTATIVE SIGNATURE:

PRINT NAME LEGIBLY:

DATE:

****Note:** If the application is complete, except for the signed statement from the Conservation Commission and/or LAC, waiving their right to intervene on the project, the application will be processed under the application processing times established in RSA 482-A:3, XIV (Env-Wt 310.02(h)).

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If required by the appropriate minimum impact project rule, please provide a signed statement by the county conservation district or certified wetland scientist (CWS) certifying compliance with all conditions of that rule.

By signing below, the county conservation district or certified wetland scientist certifies compliance with all conditions of that rule.

AUTHORIZED COUNTY CONSERVATION DISTRICT OR CWS SIGNATURE:

PRINT NAME LEGIBLY:
N/A

DATE:

SECTION 16 - TOWN / CITY CLERK SIGNATURE (Env-Wt 310.01(f))

As required by RSA 482-A:3, I(a)(1), I hereby certify that the municipality has received 4 copies of the application including all attachments.

TOWN/CITY CLERK SIGNATURE:

Please refer to RSA 482-A:3I(a)(1):
The four (4) town copies were sent via certified mail and filed directly with the town in accordance with the RSA.

PRINT NAME LEGIBLY:

TOWN/CITY:

DATE:

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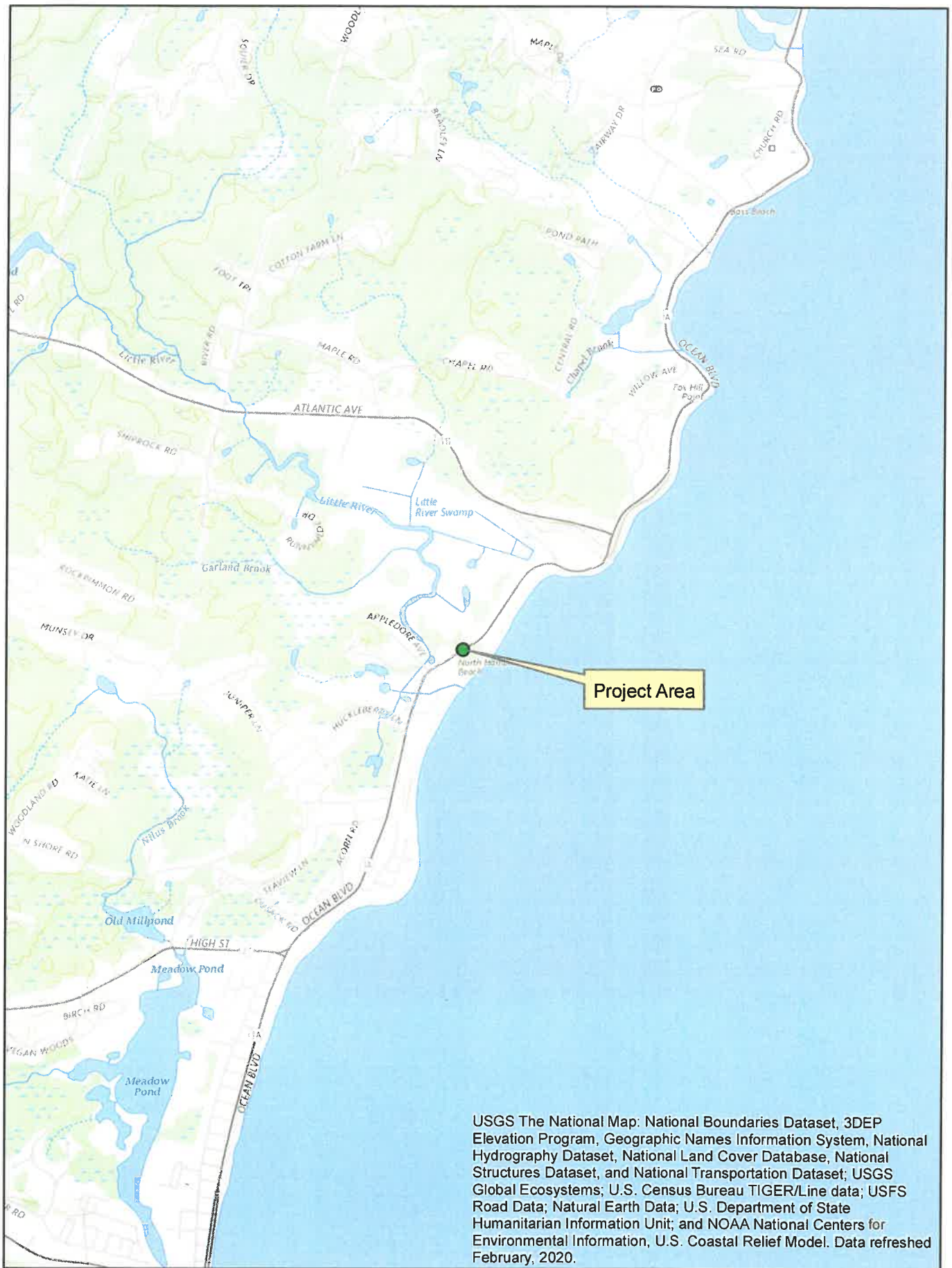
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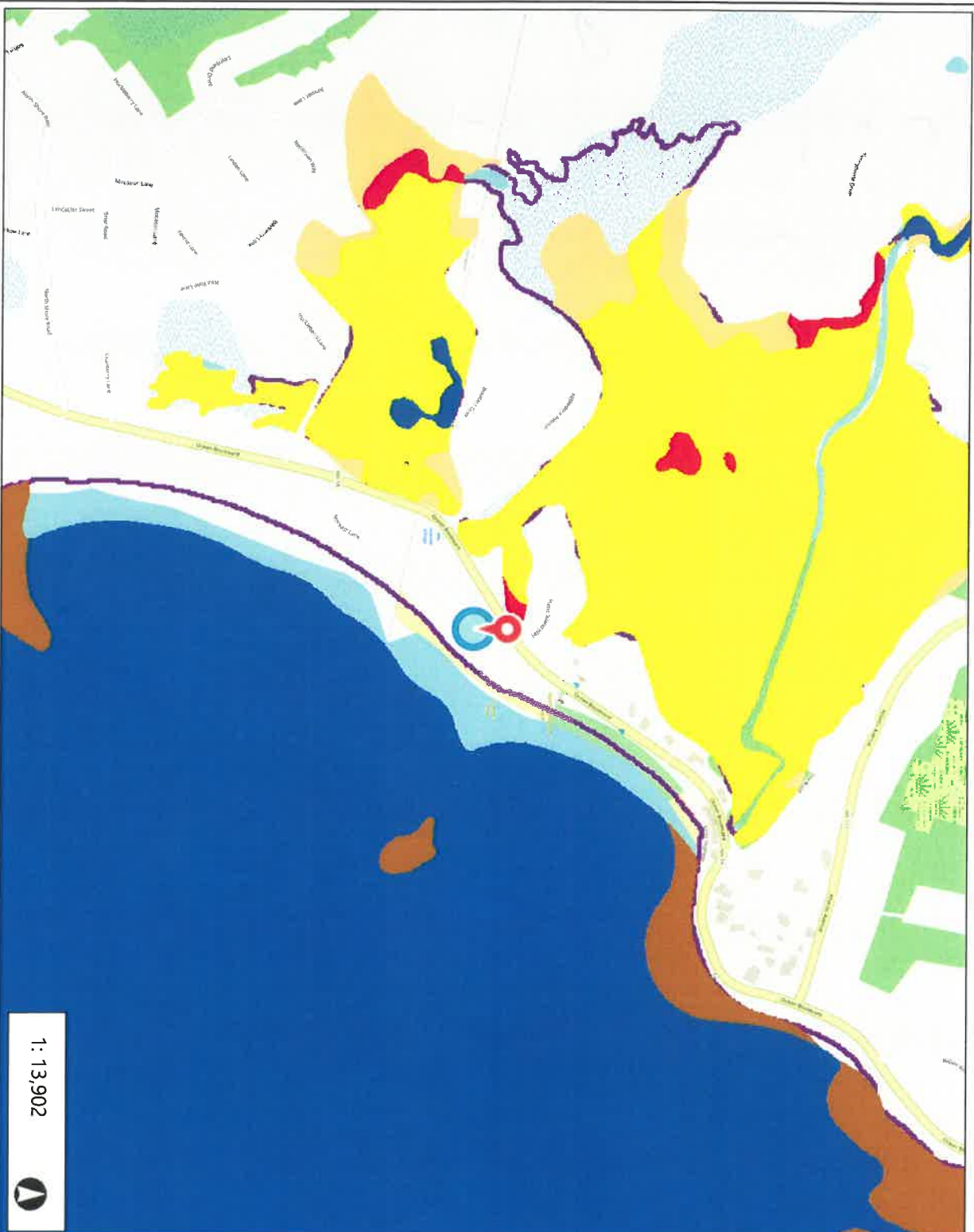
North Hampton 42536



USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed February, 2020.

0 0.25 0.5 1 Miles

1:24,000



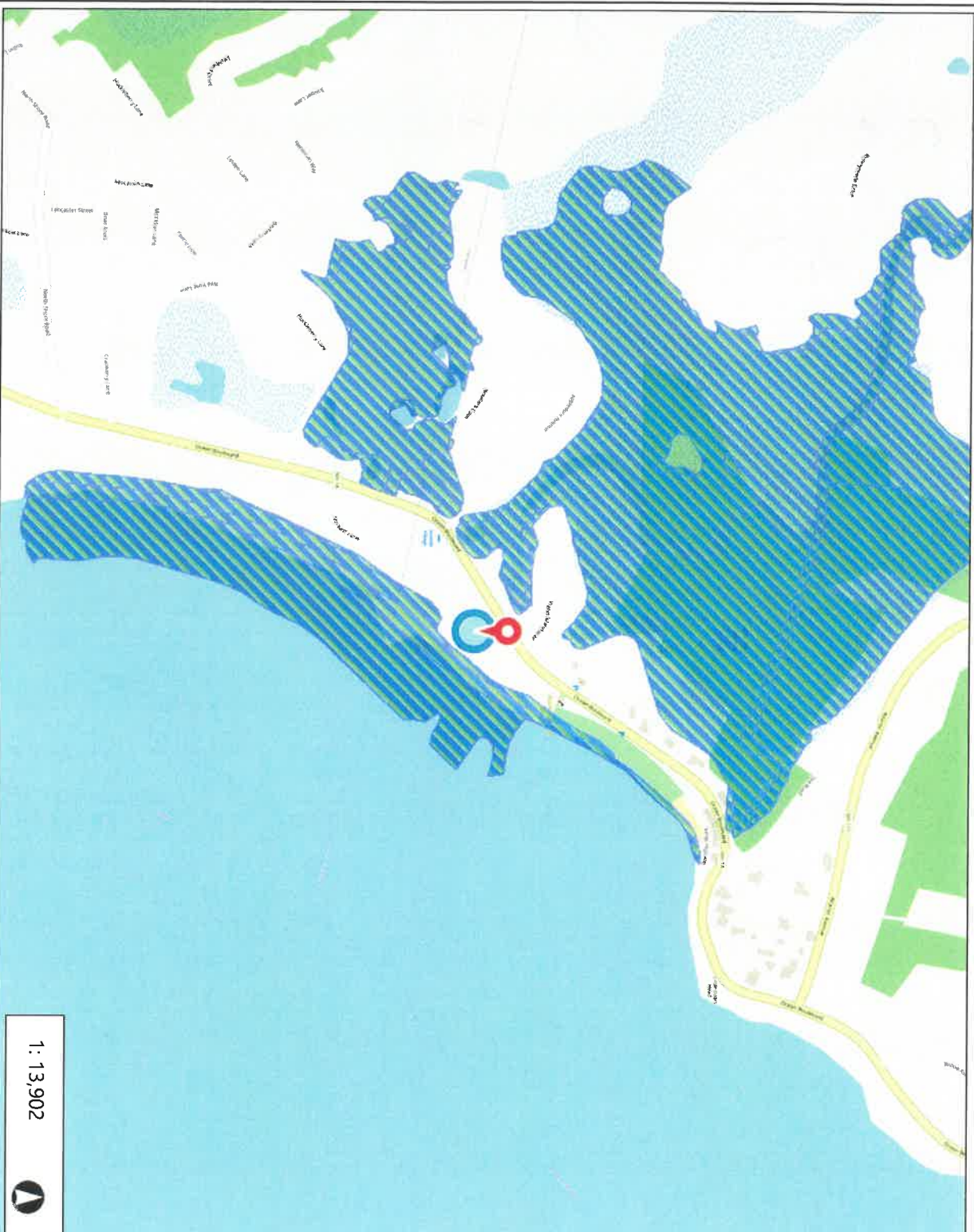
Legend

- Prime Wetlands with 100 ft Buffer
- Prime Wetlands
- Peatlands
- Sand Dunes
- backdune
- foredune
- interdune
- other
- Tidal Waters / Tidal Wetlands
- Tidal wetland
- Transitional salt marsh
- Salt marsh
- Mud flat
- Tidal water
- MHHW Baseline

Map Notes

WG5_1984_Web_Mercator_Auxiliary_Sphere
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Legend

 Flood Plain Wetlands Adjacent

Map Notes

WGS_1984 Web_Mercator_Auxiliary_Sphere
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THIS MAP IS NOT TO BE USED FOR NAVIGATION



**WETLANDS RULE WAIVER OR
DWELLING OVER WATER WAIVER
REQUEST FORM**
WATER DIVISION/LAND RESOURCES MANAGEMENT
WETLANDS BUREAU



RSA/Rule: RSA 482-A/ Env-Wt 204

Administrative Use Only	Administrative Use Only	Administrative Use Only	File No.: <hr/> Check No.: <hr/> Amount: <hr/> Initials: <hr/>
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A person may request a waiver to requirements in Rules Env-Wt 100-900 to accommodate situations where strict adherence to the requirements would not be in the best interests of the public or the environment. A person may also request a waiver of standard for existing dwellings over water pursuant to RSA 482-A:26, III (b).

SECTION 1 - PROJECT LOCATION INFORMATION (Env-Wt 204.03(c))			
ADDRESS: NH Route 1A	TOWN/CITY: North Hampton	STATE: NH	ZIP CODE: 03862
TAX MAP/LOT NUMBER: Tax Map 1/Lot 24			
SECTION 2 - WAIVER REQUESTOR INFORMATION (Env-Wt 204.03(a))			
LAST NAME, FIRST NAME, M.I.: NH Dept. of Transportation			
MAILING ADDRESS: PO Box 483			
TOWN/CITY: Concord		STATE: NH	ZIP CODE: 03301
EMAIL ADDRESS (if available): Sarah.Large@dot.nh.gov or if not FAX NUMBER:		DAYTIME TELEPHONE NUMBER: 271-3226	
SECTION 3 - APPLICANT INFORMATION (Env-Wt 204.03(b))			
If request is being made on behalf of someone else, include the following information regarding the person being represented. If requestor is the applicant, check the following box and proceed to Section 4.			
<input checked="" type="checkbox"/> Requestor is the applicant.			
LAST NAME, FIRST NAME, M.I.:			
MAILING ADDRESS:			
TOWN/CITY:		STATE:	ZIP CODE:
EMAIL ADDRESS (if available): or if not FAX NUMBER:		DAYTIME PHONE NUMBER:	

lrn@des.nh.gov or (603) 271-2147

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SECTION 4 - WAIVER INFORMATION**SECTION 4A - WAIVER TO RULE Env-Wt 100-900**

☐ N/A - If you are not requesting a rule waiver, check this box and proceed to Section 4b

Provide the number of the specific section of each rule for which a waiver is sought (Env-Wt 204.03(d)):
Env-Wt 600

Provide a complete explanation of why a waiver is being requested, including an explanation of the operational and economic consequences of complying with the requirement and, if the requested waiver would extend the duration of a permit, the reason(s) why the permit holder was not able to complete the project within the specified time (Env-Wt 204.03(f)(1)):

The Department is requesting this waiver because of the operational and economic hardship it causes. Adherence to these rules would not allow the Department to accomplish this effort this construction season. The project as proposed is least impacting of the various alternatives considered. It improves safety, eliminates flooding to NH Route 1A and nearby adjacent properties. There is a substantial added cost and time that would be required to complete all of the requirements of Env-Wt Section 600 such as the need for coastal functions and values assessments, vulnerability assessments, and data screening analyses, etc. These efforts would need to be completed by a specialized consultant and that would take time to scope out the work and then it would add a substantial cost to the project that otherwise can be completed for a much lower cost with the same project scope and impacts that have been agreed upon by DES are the least impacting. The added cost to adhere to the chapter 600 rules is a burden for a project that is otherwise viewed as minimal impact routine maintenance effort. The requirement to collect all this information would also take a full field season to collect which would not enable the Department to complete the work and eliminate the safety risk this year. There is added pressure from abutting property owners to resolve this problem immediately to prevent continued damage and flooding hence the desire to waive certain sections of the rules to be able to effectively address this issue of flooding as quickly as possible.

If applicable, provide a complete explanation of the alternative that is proposed to be substituted for the requirement in Env-Wt, including written documentation or data, or both, to support the alternative (Env-Wt 204.03(g)):

N/A

SECTION 4B – DWELLING OVER WATERS WAIVER UNDER RSA 482-A:26, III(b).

☒ N/A - If you are not requesting a standard waiver, check this box and proceed to Section 5)

Identify the specific standard to which a waiver is being requested (Env-Wt 204.03(e)):
RSA 482-A:

Provide a complete explanation of why a waiver is being requested, including a complete explanation of how the statutory criteria of RSA 482-A:26, III(b) will be met (Env-Wt 204.03(f)(2)):

This project is pursuing a waiver request in order to accomplish a project that is routine and maintenance drive in order to address negative impacts to an abutter (flooding) as well as negative impacts to the surrounding natural resources due to the flooding and non-functioning closed drainage system. The rules requested to be waived would significantly extend out the permitting preparation time and costs for a project that was agreed upon by DES and DOT as being eligible for lower scrutiny through the minimum expedited standard dredge and fill process.

When reviewing the RSA, it was determined that RSA 482-A:26 is in regards to Dwellings Over Water. This project is not related to a dwelling over water.

Through this waiver request, NHDOT has expressed the reason and justification for the waiver request.

SECTION 5 - ADDITIONAL WAIVER INFORMATION (Env-Wt 204.03(h); Env-Wt 204.03(i))

(applicable to Waivers of Rules *and* Standards under RSA 482-A:26, III(b))

Indicate whether the waiver is needed for a limited duration and, if so, an estimate of when the waiver will no longer be needed (Env-Wt 204.03(h)):

The waiver is intended to be project specific and limited to the duration that is required to complete the work. It's anticipated that this could be completed during the Fall of 2020 and finished prior to winter, provided approvals are granted by the end of September.

Provide a complete explanation of why the applicant believes that having the waiver granted will meet the criteria in Env-Wt 204.05 or 204.06, as applicable (Env-Wt 204.03(i)):

Granting the requested waiver will not result in adverse impacts to jurisdictional resources. The impacts will be minimal and under the threshold for minimal impact based on square footage.

Granting the requested waiver will not result in adverse impacts to a protected species or habitat. Our coordination with NHB has determined no concerns for the work as proposed.

Granting this requested waiver will not result in adverse impacts to public health or safety and improves the current situation for abutting properties. The intent of this restoration/maintenance effort is to eliminate current safety concerns by improving the conveyance of floodwaters off the road and adjacent properties back into the wetland where flood attenuation is intended.

Granting this waiver outweighs the added burden of cost and lost time that would be incurred by adhering to the rules. The outcome of this work if a waiver is granted would not result in adverse impacts to the environment, will not adversely impact safety, and will not diminish value of adjacent properties.

SECTION 6 - REQUIRED CERTIFICATIONS (Env-Wt 204.04)

Initial each box and sign below to certify:

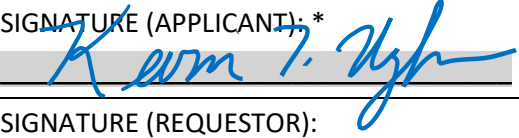



Initials:
KTN

The information provided is true, complete, and not misleading to the knowledge and belief of the signer.

irm@des.nh.gov or (603) 271-2147

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Initials: KTN	The signer understands that: <ul style="list-style-type: none"> Any waiver granted based on false, incomplete, or misleading information shall be subject to revocation; and He or she is subject to the penalties for falsification in official matters, currently established in RSA 641. 	
SECTION 7 - REQUESTOR SIGNATURE (Env-Wt 204.04)		
SIGNATURE (APPLICANT): *	PRINT NAME LEGIBLY:	DATE:
	Kevin T. Nyhan	09/10/2020
SIGNATURE (REQUESTOR):	PRINT NAME LEGIBLY:	DATE:
		

*In lieu of an applicant signature, you may include a separate signed and dated authorization for the requestor to act on the person's behalf in connection with the request.



AVOIDANCE AND MINIMIZATION CHECKLIST

Water Division/Land Resources Management Wetlands Bureau

[Check the Status of your Application](#)



RSA/Rule: RSA 482-A/ Env-Wt 311.07(d)

This checklist can be used in lieu of the written narrative required by Env-Wt 311.07(a) to demonstrate compliance with requirements for Avoidance and Minimization, pursuant to RSA 482-A:1 and Env-Wt 311.07(d).

A/M BMPs stands for *Wetlands Best Management Practice Techniques for Avoidance and Minimization* dated 2019, published by the New England Interstate Water Pollution Control Commission (Env-Wt 102.18).

Practicable means “available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes” (Env-Wt 103.62).

SECTION 1 – CONTACT/LOCATION INFORMATION		
APPLICANT LAST NAME, FIRST NAME, M.I.: NH Dept. of Transportation		
PROJECT STREET ADDRESS: Route 1A / Ocean Boulevard	PROJECT TOWN: North Hampton	
TAX MAP/LOT NUMBER: Lot 1 , Map 23		
SECTION 2 - PRIMARY PURPOSE OF THE PROJECT		
Env-Wt 311.07(b)(1)	Indicate whether the primary purpose of the project is to construct a water-access structure or requires access through wetlands to reach a buildable lot or the buildable portion thereof.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>If you answered “no” to this question, describe the purpose of the “non-access” project type you have proposed.</p> <p>The proposed project is to replace a 12" diameter CMP culvert that is no longer functional with a 12" RCP and to shorten the length of the pipe in order for the Department to maintain the structure in the least impacting manner.</p>		

Avoidance and minimization requirements have not been met if you answer “No” to any technique/ construction timing in Sections 3 to 8, without providing justification that the requirements were not practicable and the proposed project incorporates the results of the functional assessment included as part of the functional assessment report or checklist.

SECTION 3 - AVOIDANCE PROJECT DESIGN TECHNIQUES		
Env-Wt 311.07(b)(2)	For any project that proposes permanent impacts of more than one acre or that proposes permanent impacts to a Priority Resource Area (PRA), or both, whether any other properties reasonably available to the applicant, whether already owned or controlled by the applicant or not, could be used to achieve the project’s purpose without altering the functions and values of any jurisdictional area, in particular wetlands, streams, and PRAs.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A

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Env-Wt 311.07(b)(3)	Alternative design techniques could not be used to avoid impacts to jurisdictional areas or their functions and values on the subject property or on another property reasonably available to the applicant.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 311.07(b)(4) Env-Wt 311.10(c)(1)	The results of the functional assessment required by Env-Wt 311.03(b)(10) were used to select the location of the proposed project having the least impact to wetland functions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 311.07(b)(4) Env-Wt 311.10(c)(2)	The proposed project has been designed to have the least impact to wetland functions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 311.07(b)(4) Env-Wt 311.10(c)(3)	Where impact to wetland functions is unavoidable, the proposed impacts are limited to the wetlands with the least valuable functions on the site while avoiding and minimizing impacts to the wetlands with the highest and most valuable functions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 313.01(c) Env-Wt 313.03(b)(1)	No practicable alternative would reduce adverse impact on the area and environments and the project will not cause random or unnecessary destruction of wetlands.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 313.01(c)(3)	The project would not cause or contribute to the significant degradation of waters of the state or the loss of any PRAs.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 313.03(b)(2)	The project avoids impacts to marshes that are documented to provide sources of nutrients for finfish, crustacea, shellfish, and wildlife of significant value.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Env-Wt 313.03(b)(3) Env-Wt 904.07(c)(8)	The project maintains hydrologic connectivity between adjacent wetlands or stream systems.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 311.01(b) Env-Wt 313.03(b)(4)	The project avoids and minimizes impacts to wetlands and other areas of jurisdiction under RSA 482-A, especially those in which there are exemplary natural communities, vernal pools, protected species and habitat, documented fisheries, and habitat and reproduction areas for species of concern.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 313.03(b)(5)	The project avoids and minimizes impacts that eliminate, depreciate, or obstruct public commerce, navigation, or recreation.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Env-Wt 311.10 A/M BMPs	Buildings and/or access are positioned away from high function wetlands or surface waters to avoid impact.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Env-Wt 311.10 A/M BMPs	The project clusters structures to avoid wetland impacts.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Env-Wt 311.10 A/M BMPs	The placement of roads and utility corridors avoids wetlands and their associated streams.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

A/M BMPs	Proposed utilities are suspended from bridges to avoid trenching through wetlands.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
A/M BMPs	The width of access roads or driveways is reduced to avoid and minimize impacts. Pullouts are incorporated in the design as needed.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
A/M BMPs	Retaining walls are proposed to avoid placing fill in wetlands. The retaining walls would not block hydrology or wildlife corridors.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
A/M BMPs	The project proposes bridges or spans instead of roads/driveways/trails with culverts.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
A/M BMPs	Natural topography is incorporated in the design to avoid grading.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

This checklist is not complete without a description of the specific avoidance project design techniques employed for this project:

The existing culvert is 150' long and will be shortened to 50' long which will result in only 15' LF of impact within the jurisdictional wetland and 100 square feet of permanent impact. Shortening the pipe was identified as being the preferred alternative as it is the least impacting to the marsh, which avoids excavating the entire 150' of pipe (100+ feet would be within the marsh).

SECTION 4 - MINIMIZATION DESIGN TECHNIQUES

Env-Wt 311.10	The project was designed to minimize impacts to higher-quality wetlands.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Env-Wt 311.01(b) Env-Wt 313.03(b)	The project was designed to minimize impacts to habitat, reproduction areas, fishery, vernal pools, or protected species or habitat.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
A/M BMPs	The project was designed to minimize the number of crossings and their size.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
A/M BMPs	Wetlands and streams are proposed to be crossed at their narrowest point.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Env-Wt 500 Env-Wt 600 Env-Wt 900	Wetland and stream crossings include features that accommodate aquatic organism passage and wildlife passage.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Env-Wt 313.01(c)(1) Env-Wt 313.03(b)(6)	The project was designed to avoid and minimize impacts to floodplain wetlands that provide flood storage.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Env-Wt 313.01(c)(1) Env-Wt 313.03(b)(7)	Impacts to natural riverine forested wetlands systems and scrub-shrub marsh complexes of high ecologic integrity are avoided and minimized.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Env-Wt 313.01(c)(1) Env-Wt 313.03(b)(8)	Impacts to wetlands that would be detrimental to drinking water supply and groundwater aquifer levels are avoided and minimized.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 313.01(c)(1) Env-Wt 313.03(b)(9)	Adverse impacts to stream channels and their ability to handle stormwater runoff are avoided and minimized.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 900	Stream crossings are sized to address hydraulic capacity and geomorphic compatibility.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
A/M BMPs	Disturbed areas are used for crossings wherever practicable, including existing roadways, paths, or trails upgraded with new culverts or bridges.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
RSA 482-A:11, II	Project is designed to minimize impacts to abutting properties.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.13	Setbacks from property lines required by Env-Wt 307.13 are maintained.	<input type="checkbox"/> Yes <input type="checkbox"/> No

This checklist is not complete without a description of the specific minimization design techniques employed for this project:

Refer to section three as written. Impact areas were minimized the greatest extent possible in order to minimize impacts to the marsh. The project provides restoration of the natural flood storage for this area. Replacing the failed pipe will address safety concerns associated with the excess ponding of water on NH Route 1A and on adjacent properties. The proposed work will restore and enhance the functionality of the wetland whereby allowing it to provide flood attenuation/storage. Pipe replacement will allow positive flow of ponded flood/stormwater from the roadway back into the wetland.

SECTION 5 - RESOURCE-SPECIFIC DESIGN TECHNIQUES

Env-Wt 500	The project is designed to address resource-specific avoidance and minimization criteria for non-tidal jurisdictional areas.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Env-Wt 600	The project is designed to address resource-specific avoidance and minimization criteria for coastal lands and tidal waters/wetlands.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

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Env-Wt 307.08 Env-Wt 700	The project is designed to address resource-specific avoidance and minimization criteria for designated prime wetlands.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<p>This checklist is not complete without a description of the resource-specific design techniques employed for this project:</p> <p>Impact areas were minimized the greatest extent possible in order to minimize impacts to the marsh. The project is pulling the impacts closer to outer edge of the marsh and to the road rather than chasing the impacts out into the marsh where the floodplain of the Little River is and areas influence by the tide therefore avoiding impacts to these coastal resource types. The associated work will also improve the natural flood storage function of the wetland. The project area is not within any documented shellfish sites nor within any eel grass beds. The work is at the outer boundaries of the salt marsh and impacts the farthest extent of the marshes' migration path.</p>		
SECTION 6 - PROJECT-SPECIFIC DESIGN TECHNIQUES		
Env-Wt 500	The project is designed to use techniques outlined in Env-Wt 500 for projects in non-tidal jurisdictional areas.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Env-Wt 600	The project is designed to use techniques outlined in Env-Wt 600 for projects in coastal lands and tidal waters/wetlands.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Env-Wt 900	The project is designed to use stream crossing techniques outlined in Env-Wt 900 for stream crossing projects.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<p>This checklist is not complete without a description of the project-specific design techniques employed for this project:</p> <p>The project design is shortening the culvert by 150' thus lessening permanent impacts to the marsh. The marsh will continue to serve the function of flood flow attenuation with the pipe outleting at the new location closer to the roadway infrastructure.</p>		

SECTION 7 - CONSTRUCTION TECHNIQUES		
Env-Wt 311.05	Limits of jurisdictional areas, construction activities and proposed water quality protection measures are clearly marked on plans.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.03(b)	Best management practices (BMPs) for erosion control and construction stormwater management will be used and maintained during construction.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.03(c)	Techniques to protect water quality will be used.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.03(g)	Techniques to avoid fuel, oil, and hydraulic fluid spills in and around wetlands jurisdiction will be used.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.05(e)	The Best Management Practices For the Control of Invasive and Noxious Plant Species" (dated 2018, published by NHDOT) will be followed to avoid introducing nuisance or invasive species to the work site from soil or seed stock.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.03(b) Env-Wt 307.10 Env-Wt 307.15	Construction staging and stockpiling of materials will be kept out of wetlands with adequate containment measures.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.04	Techniques will be used to protect fisheries, bird migratory areas, fish, amphibian, and shellfish spawning or nursery areas, breeding areas, and high quality waters.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.05	Equipment brought from other sites will be cleaned away from wetlands so that invasive plants and exotic aquatic species of wildlife are not introduced into the work site.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.06	Techniques will be used to protect rare, threatened, and endangered species and habitat.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.07	The project will be conducted in compliance with the Shoreland Water Quality Protection Act.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.08	Water quality and environmental minimization measures will be in place to protect designated prime wetlands.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.10	Techniques will be used to meet standard dredge conditions outlined in Env-Wt 307.10.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.11	Techniques will be used to meet standard fill conditions outlined in Env-Wt 307.11.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.12	Work site will be restored in accordance with Env-Wt 307.12.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.15	Impacts from use of heavy machinery will be minimized.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

This checklist is not complete without a description of the specific construction techniques employed for this project:

A preconstruction meeting will occur prior to the start of work. The District Six construction crew will adhere to installing and maintaining BMP's, staying within the permitted impact area and thus minimizing disturbance to the wetland. The work area will be accessed from the road and road shoulder that is out of wetlands jurisdiction.

SECTION 8 - CONSTRUCTION TIMING

Env-Wt 307.04	The project will be conducted outside spawning or breeding season to reduce impacts to aquatic resources.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Env-Wt 307.10	Timing restrictions described in Env-Wt 307.10 will be adhered to.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

These criteria do not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US Environmental Protection Agency, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources, NHDES Alteration of Terrain Bureau, etc.)

This checklist is not complete without a description of the specific construction timing employed for this project:

In order to avoid any impact to the Little River, which is hydraulically connected to this wetland complex, the project team will take into account the tidal influence of the Little River throughout construction, however it is expected that high tide waters will not influence or inundate the project site.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Ralph Sanders, NH DOT
PO Box 740

Durham, NH 03824

From: NH Natural Heritage Bureau

Date: 8/21/2020 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 8/19/2020

VALID ONLY FOR NOTIFICATION OR MINIMUM EXPEDITED
APPLICATIONS SUBMITTED TO THE NHDES WETLANDS BUREAU

NHB File ID: NHB20-2499

Applicant: Ralph Sanders

Location: North Hampton
Across from 11 Ocean Boulevard

Project

Description: Replace a 12" CMP culvert with 12" RCP culvert. Shorten the length of the culvert from 155' to 60' for maintenance purposes. All work within NH DOT Right of Way.

The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government.

It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 8/19/2020, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: **NHB20-2499**

NHB20-2499





United States Department of the Interior

FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104
<http://www.fws.gov/newengland>



In Reply Refer To:
Consultation Code: 05E1NE00-2020-SLI-3828
Event Code: 05E1NE00-2020-E-11808
Project Name: North Hampton 42536

August 31, 2020

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office

70 Commercial Street, Suite 300

Concord, NH 03301-5094

(603) 223-2541

Project Summary

Consultation Code: 05E1NE00-2020-SLI-3828

Event Code: 05E1NE00-2020-E-11808

Project Name: North Hampton 42536

Project Type: TRANSPORTATION

Project Description: Replace 12" failed metal pipe under NH Route 1A. Replacement pipe will be shortened by 150' to reduce salt marsh impacts.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.95360352764186N70.78435220783237W>



Counties: Rockingham, NH

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104
<http://www.fws.gov/newengland>

IPaC Record Locator: 717-23264982

August 31, 2020

Subject: Consistency letter for the 'North Hampton 42536' project indicating that any take of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o).

Dear Matt Uraban:

The U.S. Fish and Wildlife Service (Service) received on August 31, 2020 your effects determination for the 'North Hampton 42536' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. You indicated that no Federal agencies are involved in funding or authorizing this Action. This IPaC key assists users in determining whether a non-Federal action may cause “take”^[1] of the northern long-eared bat that is prohibited under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, any take of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the Action is not likely to result in unauthorized take of the northern long-eared bat.

Please report to our office any changes to the information about the Action that you entered into IPaC, the results of any bat surveys conducted in the Action area, and any dead, injured, or sick northern long-eared bats that are found during Action implementation.

If your Action proceeds as described and no additional information about the Action’s effects on species protected under the ESA becomes available, no further coordination with the Service is required with respect to the northern long-eared bat.

[1]Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct [ESA Section 3(19)].

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

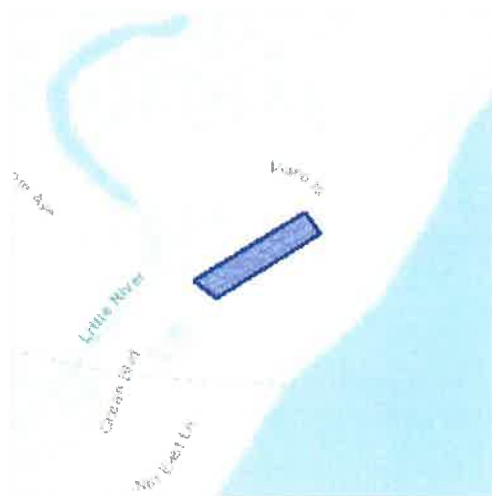
North Hampton 42536

2. Description

The following description was provided for the project 'North Hampton 42536':

Replace 12" failed metal pipe under NH Route 1A. Replacement pipe will be shortened by 150' to reduce salt marsh impacts.

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.95360352764186N70.78435220783237W>

**Determination Key Result**

This non-Federal Action may affect the northern long-eared bat; however, any take of this species that may occur incidental to this Action is not prohibited under the final 4(d) rule at 50 CFR §17.40(o).

Determination Key Description: Northern Long-eared Bat 4(d) Rule

This key was last updated in IPaC on **May 15, 2017**. Keys are subject to periodic revision.

This key is intended for actions that may affect the threatened northern long-eared bat.

The purpose of the key for non-Federal actions is to assist determinations as to whether proposed actions are excepted from take prohibitions under the northern long-eared bat 4(d) rule.

If a non-Federal action may cause prohibited take of northern long-eared bats or other ESA-listed animal species, we recommend that you coordinate with the Service.

Determination Key Result

Based upon your IPaC submission, any take of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o).

Qualification Interview

1. Is the action authorized, funded, or being carried out by a Federal agency?

No

2. Will your activity purposefully **Take** northern long-eared bats?

No

3. [Semantic] Is the project action area located wholly outside the White-nose Syndrome Zone?

Automatically answered

No

4. Have you contacted the appropriate agency to determine if your project is near a known hibernaculum or maternity roost tree?

Location information for northern long-eared bat hibernacula is generally kept in state Natural Heritage Inventory databases – the availability of this data varies state-by-state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited. A web page with links to state Natural Heritage Inventory databases and other sources of information on the locations of northern long-eared bat roost trees and hibernacula is available at www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html.

Yes

5. Will the action affect a cave or mine where northern long-eared bats are known to hibernate (i.e., hibernaculum) or could it alter the entrance or the environment (physical or other alteration) of a hibernaculum?

No

6. Will the action involve Tree Removal?

No

Project Questionnaire

If the project includes forest conversion, report the appropriate acreages below. Otherwise, type '0' in questions 1-3.

1. Estimated total acres of forest conversion:

0

2. If known, estimated acres of forest conversion from April 1 to October 31

0

3. If known, estimated acres of forest conversion from June 1 to July 31

0

If the project includes timber harvest, report the appropriate acreages below. Otherwise, type '0' in questions 4-6.

4. Estimated total acres of timber harvest

0

5. If known, estimated acres of timber harvest from April 1 to October 31

0

6. If known, estimated acres of timber harvest from June 1 to July 31

0

If the project includes prescribed fire, report the appropriate acreages below. Otherwise, type '0' in questions 7-9.

7. Estimated total acres of prescribed fire

0

8. If known, estimated acres of prescribed fire from April 1 to October 31

0

9. If known, estimated acres of prescribed fire from June 1 to July 31

0

If the project includes new wind turbines, report the megawatts of wind capacity below. Otherwise, type '0' in question 10.

10. What is the estimated wind capacity (in megawatts) of the new turbine(s)?

0

Project___District 6 -North Hampton 42536__State funded_____
Wetland Permit Application – NHDOT Cultural Resources Review

For the purpose of compliance with regulations of the National Historic Preservation Act, the Advisory Council on Historic Preservation's *Procedures for the Protection of Historic Properties* (36 CFR 800), the US Army Corps of Engineers' *Appendix C*, and/or state regulation RSA 227-C:9, *Directive for Cooperation in the Protection of Historic Resources*, the NHDOT Cultural Resources Program has reviewed the proposed project for potential impacts to historic properties.

Proposed Project: D6 is looking to replace a small 12" metal pipe that goes under NH Route 1A in North Hampton and it currently outlets 150' out into a marsh. The pipe is going to be abandoned and they will be installing a 12" concrete pipe adjacent to the old pipe but it will outlet at the edge of the wetland rather than 150' into it so that it's easier to maintain. The existing pipe is failed and causes substantial flooding to 1A and abutting properties. Impacts will be within previously disturbed areas. The inlet side is a catch basin (at driveway of 11 Ocean Blvd) and the outlet is buried and can't be found about 150' out into a dense phragmites infested salt marsh. See project folder for photographs of location and flooding results. The need to expedite this review is because we are trying to meet a deadline by the end of this week to get the draft application to the Con-com to have them sign off on the work so that we have the approvals to proceed as a minimum impact review.

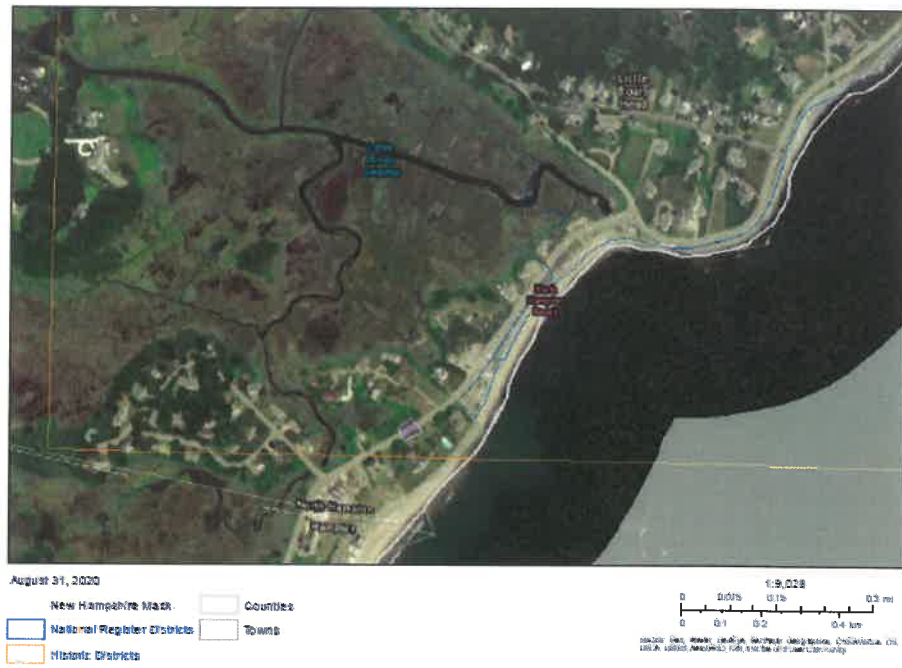
<S:\Global\B16-Environment\WETLANDS\District 6 Wetland Permit Application Coordination\North Hampton 42536>



North Hampton 42536



42536 APE



Above Ground Review

Known/approximate age of structure:

Jill Edelman (email 9/1/2020) noted:

The culvert lies about 500 ft south of the National Register listed Little Boar's Head Historic District (Mausolf 1997, NHA-LBHD).

The Little Boar's Head Historic District was determined eligible for the National Register (DOE 1998) for its significance as an intact and well-preserved example of a NH summer colony (including 19th-20th century residential structures along the seacoast), that evolved from an early 19th century farming and fishing community.

The existing catch basin is outside of the fence line at 11 Ocean Blvd. It looks like they are proposing 1 or 2 inside the fence line. What will their yard look like once these have been added? Will there be large domes or will it be flat? If the property owner has been informed of all the impacts and they have no concerns, I think we can move forward documenting that. From a historic standpoint, I would want the lawn returned to existing as much as possible.

If there are concerns we should look into completing an inventory form because it's saying the house was built 1910, and is really close to the Little Boar's Head historic district.

Because you are out letting into the wetland area, and there are no visuals that would be impacted from the surrounding houses, I have no concerns.

Matt Urban (email 9/1/2020) stated:

Yes, technically the fence is encroaching within our ROW but we won't make them move it.

Two of our new CB's will be behind the fence but still within our ROW.

Landowner is aware and does approve of the work. (They will likely sue the Department if we do nothing, so they very much approve).

The lawn will be restored to lawn once work is done, CB's in the lawn area will look much like the original in the photos where it's flush with the ground.

☒ **No Potential to Cause Effect/No Concerns**

☐ Concerns:

Below Ground Review

Recorded Archaeological site: ☐ Yes ☒ No

Nearest Recorded Archaeological Site Name & Number: 27-RK-071 (Cellar holes & dump sites)

☐ Pre-Contact ☒ Post-Contact

Distance from Project Area: 12,448 ft southwest of project area

☒ **No Potential to Cause Effect/No Concerns**

The project area lies west and adjacent to the Little River swamp.

Proposed actions are noted as limited to previously disturbed areas. The landscape certainly looks graded and filled in association with road, driveway, road shoulder, culvert/catch basin, and lawn construction.

☐ Concerns:

Reviewed by:

Sheila Charles

9/3/2020

NHDOT Cultural Resources Staff

Date:

Appendix B Certification – Activities with Minimal Potential to Cause Effects**Date Reviewed:** 9/3/2020

(Desktop or Field Review Date)

☒ This Project uses only State funding; however project activities listed below comply with the PA.
Project Name: North Hampton**State Number:** 42536**FHWA Number:** none**Environmental Contact:** Matt Urban; Sarah Large**Email Address:** Matt.Urban@dot.nh.gov**DOT****Project****Manager:**

Project Description: District 6 is looking to replace a small 12" metal pipe that goes under NH Route 1A in North Hampton and it currently outlets 150 out into a marsh. The pipe is going to be abandoned and they will be installing a 12" concrete pipe adjacent to the old pipe but it will outlet at the edge of the wetland rather than 150 into it so that it's easier to maintain. The existing pipe is failed and causes substantial flooding to 1A and abutting properties. Impacts will be within previously disturbed areas. The inlet side is a catch basin and the outlet is buried in vegetation and cannot be found as it lies 150 ft out into a dense phragmites infested salt marsh.

Please select the applicable activity/activities:

Highway and Roadway Improvements	
<input type="checkbox"/>	1. Modernization and general highway maintenance <u>that may require additional highway right-of-way or easement</u> , including: Choose an item. Choose an item.
<input type="checkbox"/>	2. Installation of rumble strips or rumble stripes
<input type="checkbox"/>	3. Installation or replacement of pole-mounted signs
<input type="checkbox"/>	4. Guardrail replacement, provided any extension does not connect to a bridge older than 50 years old (unless it does already), and there is no change in access associated with the extension
Bridge and Culvert Improvements	
<input checked="" type="checkbox"/>	5. Culvert replacement (excluding stone box culverts), when the culvert is less than 60" in diameter and excavation for replacement is limited to previously disturbed areas
<input type="checkbox"/>	6. Bridge deck preservation and replacement, as long as no character defining features are impacted
<input type="checkbox"/>	7. Non-historic bridge and culvert maintenance, renovation, or total replacement, <u>that may require minor additional right-of-way or easement</u> , including: Choose an item. Choose an item.
<input type="checkbox"/>	8. Historic bridge maintenance activities within the limits of existing right-of-way, including: Choose an item. Choose an item.
<input checked="" type="checkbox"/>	9. Stream and/or slope stabilization and restoration activities (including removal of debris or sediment obstructing the natural waterway, or any non-invasive action to restore natural conditions)
Bicycle and Pedestrian Improvements	
<input type="checkbox"/>	10. Construction of pedestrian walkways, sidewalks, sidewalk tip-downs, small passenger shelters, and alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons
<input type="checkbox"/>	11. Installation of bicycle racks
<input type="checkbox"/>	12. Recreational trail construction
<input type="checkbox"/>	13. Recreational trail maintenance when done on existing alignment

Section 106 Programmatic Agreement – Cultural Resources Review Effect Finding

Appendix B Certification – Activities with Minimal Potential to Cause Effects

<input type="checkbox"/>	14. Construction of bicycle lanes and shared use paths and facilities within the existing right-of-way
Railroad Improvements	
<input type="checkbox"/>	15. Modernization, maintenance, and safety improvements of railroad facilities within the existing railroad or highway right-of-way, provided no historic railroad features are impacted , including, but not limited to: Choose an item. Choose an item.
<input type="checkbox"/>	16. In-kind replacement of modern railroad features (i.e. those features that are less than 50 years old)
<input type="checkbox"/>	17. Modernization/modification of railroad/roadway crossings provided that all work is undertaken within the limits of the roadway structure (edge of roadway fill to edge of roadway fill) and no associated character defining features are impacted
Other Improvements	
<input type="checkbox"/>	18. Installation of Intelligent Transportation Systems
<input type="checkbox"/>	19. Acquisition or renewal of scenic, conservation, habitat, or other land preservation easements where no construction will occur
<input checked="" type="checkbox"/>	20. Rehabilitation or replacement of existing storm drains.
<input type="checkbox"/>	21. Maintenance of stormwater treatment features and related infrastructure

Please describe how this project is applicable under Appendix B of the Programmatic Agreement.

The project area lies 500' south of the National Register listed Little Boar's Head Historic District. If the property owner or town voice any concerns over impacts regarding the proximity to the historic district, the project should be reviewed with NHDHR for potential impacts. As the outlet extends into the wetland area, and there are no visuals that would be impacted from the surrounding houses, there are no above ground concerns. As far as below ground, the project area lies west and adjacent to the Little River swamp. Proposed actions are noted as limited to previously disturbed areas. The landscape certainly looks graded and filled in association with road, driveway, road shoulder, culvert/catch basin, and lawn construction.

Please submit this Certification Form along with the Transportation RPR, including photographs, USGS maps, design plans and as-built plans, if available, for review. Note: The RPR can be waived for in-house projects, please consult Cultural Resources Program Staff.

Coordination Efforts:

Has an RPR been submitted to NHDOT for this project?	No	NHDHR R&C # assigned?	Click here to enter text.
Please identify public outreach effort contacts; method of outreach and date:	The landowner of 10 Ocean Blvd (built 1910) is aware and is encouraging the approval of the project (Email from Matt Urban 9/2/2020). The lawn will be restored, following the completion of the project.		

Finding: (To be filled out by NHDOT Cultural Resources Staff)

<input checked="" type="checkbox"/>	No Potential to Cause Effects	<input type="checkbox"/>	No Historic Properties Affected
This finding serves as the Section 106 Memorandum of Effect. No further coordination is necessary.			
<input type="checkbox"/>	This project does <i>not</i> comply with Appendix B. Review will continue under Stipulation VII of the Programmatic Agreement. Please contact NHDOT Cultural Resources Staff to determine next steps.		
NHDOT comments:			

Section 106 Programmatic Agreement – Cultural Resources Review Effect Finding

Appendix B Certification – Activities with Minimal Potential to Cause Effects



9/3/2020

NHDOT Cultural Resources Staff

Date

Coordination of the Section 106 process should begin as early as possible in the planning phase of the project (undertaking) so as not to cause a delay.

Project sponsors should not predetermine a Section 106 finding under the assumption a project is limited to the activities listed in Appendix B until this form is signed by the NHDOT Bureau of Environment Cultural Resources Program staff.

Every project shall be coordinated with, and reviewed by the NHDOT-BOE Cultural Resources Program in accordance with the *Programmatic Agreement Among the Federal Highway Administration, the New Hampshire State Historic Preservation Office, the Army Corps of Engineers, New England District, the Advisory Council on Historic Preservation, and the New Hampshire Department of Transportation Regarding the Federal Aid Highway Program in New Hampshire*. In accordance with the Advisory Council's regulations, we will continue to consult, as appropriate, as this project proceeds.

NHDOT and the State Historic Preservation Office may use provisions of the Programmatic Agreement to address the applicable requirements of NH RSA 227-C:9 in the location, identification, evaluation and management of historic resources, for projects funded by State funds.

If any portion of the project is not entirely limited to any one or a combination of the activities specified in Appendix B (with, or without the inclusion of any activities listed in Appendix A), please continue discussions with NHDOT Cultural Resources staff.

This No Potential to Cause Effect or No Historic Properties Affected project determination is your Section 106 finding, as defined in the Programmatic Agreement.

Should project plans change, please inform the NHDOT Cultural Resources staff in accordance with Stipulation VII of the Programmatic Agreement.



**US Army Corps
of Engineers**®
New England District

**U.S. Army Corps of Engineers
New Hampshire Programmatic General Permit (PGP)
Appendix B - Corps Secondary Impacts Checklist
(for inland wetland/waterway fill projects in New Hampshire)**

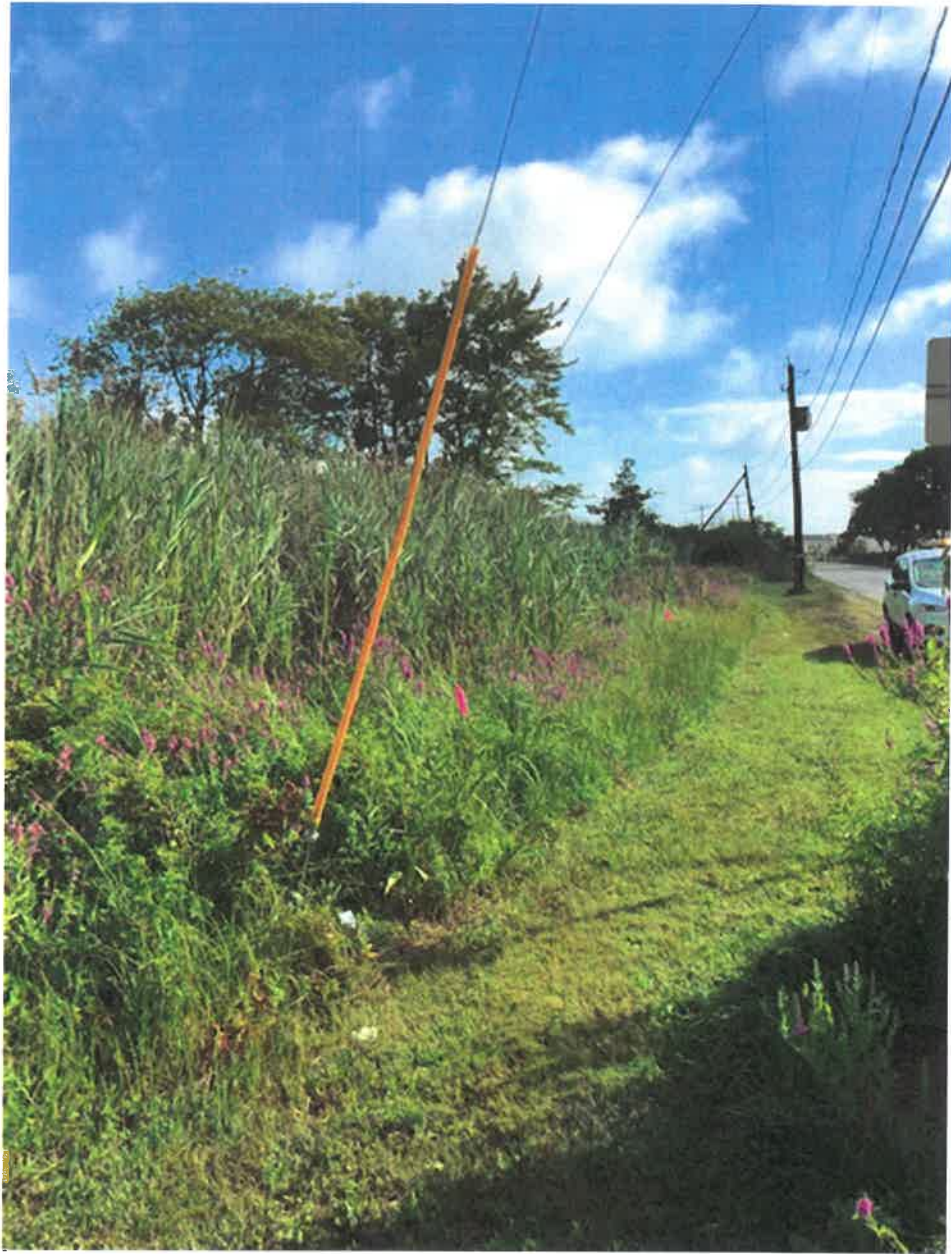
1. Attach any explanations to this checklist. Lack of information could delay a Corps permit determination.
2. All references to “work” include all work associated with the project construction and operation. Work includes filling, clearing, flooding, draining, excavation, dozing, stumping, etc.
3. See PGP, GC 5 regarding single and complete projects.
4. Contact the Corps at (978) 318-8832 with any questions.

1. Impaired Waters	Yes	No
1.1 Will any work occur within 1 mile upstream in the watershed of an impaired water? See http://des.nh.gov/organization/divisions/water/wmb/section401/impaired_waters.htm to determine if there is an impaired water in the vicinity of your work area.*	x	
2. Wetlands	Yes	No
2.1 Are there are streams, brooks, rivers, ponds, or lakes within 200 feet of any proposed work?	x	
2.2 Are there proposed impacts to SAS, shellfish beds, special wetlands and vernal pools (see PGP, GC 26 and Appendix A)? Applicants may obtain information from the NH Department of Resources and Economic Development Natural Heritage Bureau (NHB) website, www.nhnaturalheritage.org , specifically the book Natural Community Systems of New Hampshire .		x
2.3 If wetland crossings are proposed, are they adequately designed to maintain hydrology, sediment transport & wildlife passage?	x	
2.4 Would the project remove part or all of a riparian buffer? (Riparian buffers are lands adjacent to streams where vegetation is strongly influenced by the presence of water. They are often thin lines of vegetation containing native grasses, flowers, shrubs and/or trees that line the stream banks. They are also called vegetated buffer zones.)		x
2.5 The overall project site is more than 40 acres.		x
2.6 What is the size of the existing impervious surface area?	N/A	
2.7 What is the size of the proposed impervious surface area?	N/A	
2.8 What is the % of the impervious area (new and existing) to the overall project site?	N/A	
3. Wildlife	Yes	No
3.1 Has the NHB determined that there are known occurrences of rare species, exemplary natural communities, Federal and State threatened and endangered species and habitat, in the vicinity of the proposed project? (All projects require a NHB determination.)		x
3.2 Would work occur in any area identified as either “Highest Ranked Habitat in N.H.” or “Highest Ranked Habitat in Ecological Region”? (These areas are colored magenta and green, respectively, on NH Fish and Game’s map, “2010 Highest Ranked Wildlife Habitat by Ecological Condition.”) Map information can be found at: <ul style="list-style-type: none"> • PDF: www.wildlife.state.nh.us/Wildlife/Wildlife_Plan/highest_ranking_habitat.htm. • Data Mapper: www.granit.unh.edu. • GIS: www.granit.unh.edu/data/downloadfreedata/category/databycategory.html. 	x	
3.3 Would the project impact more than 20 acres of an undeveloped land block (upland, wetland/waterway) on the entire project site and/or on an adjoining property(s)?		x
3.4 Does the project propose more than a 10-lot residential subdivision, or a commercial or industrial development?		x
3.5 Are stream crossings designed in accordance with the PGP, GC 21?	N/A	

4. Flooding/Floodplain Values	Yes	No
4.1 Is the proposed project within the 100-year floodplain of an adjacent river or stream?		x
4.2 If 4.1 is yes, will compensatory flood storage be provided if the project results in a loss of flood storage?		n/a
5. Historic/Archaeological Resources		
If a minor or major impact project, has a copy of the Request for Project Review (RPR) Form (www.nh.gov/nhdhr/review) been sent to the NH Division of Historical Resources as required on Page 5 of the PGP?**		n/a

*Although this checklist utilizes state information, its submittal to the Corps is a Federal requirement.

** If project is not within Federal jurisdiction, coordination with NH DHR is not required under Federal law.



Loosestrife / Edge of Wetlands NH Route 1A to the Right. 8/18/2020



Alternate view of edge of wetlands 8/18/2020



NH Route 1A and 11 Ocean Blvd Driveway (area that floods) 8/18/2020



11 Ocean Blvd Driveway – structure inlet/catch basin at base of no parking sign. 8/18/2020



Structure Inlet/Catchbasin 8/18/2020



View from Catch basin looking across the road to pipe outlet. Crack in road is a sign that the pipe has failed. 8/18/2020



View from 11 Ocean Blvd Driveway across NH Route 1A to general impact area.

8/18/2020



View from 11 Ocean Blvd down to flooded driveway and NH Route 1A (date of photo unknown).

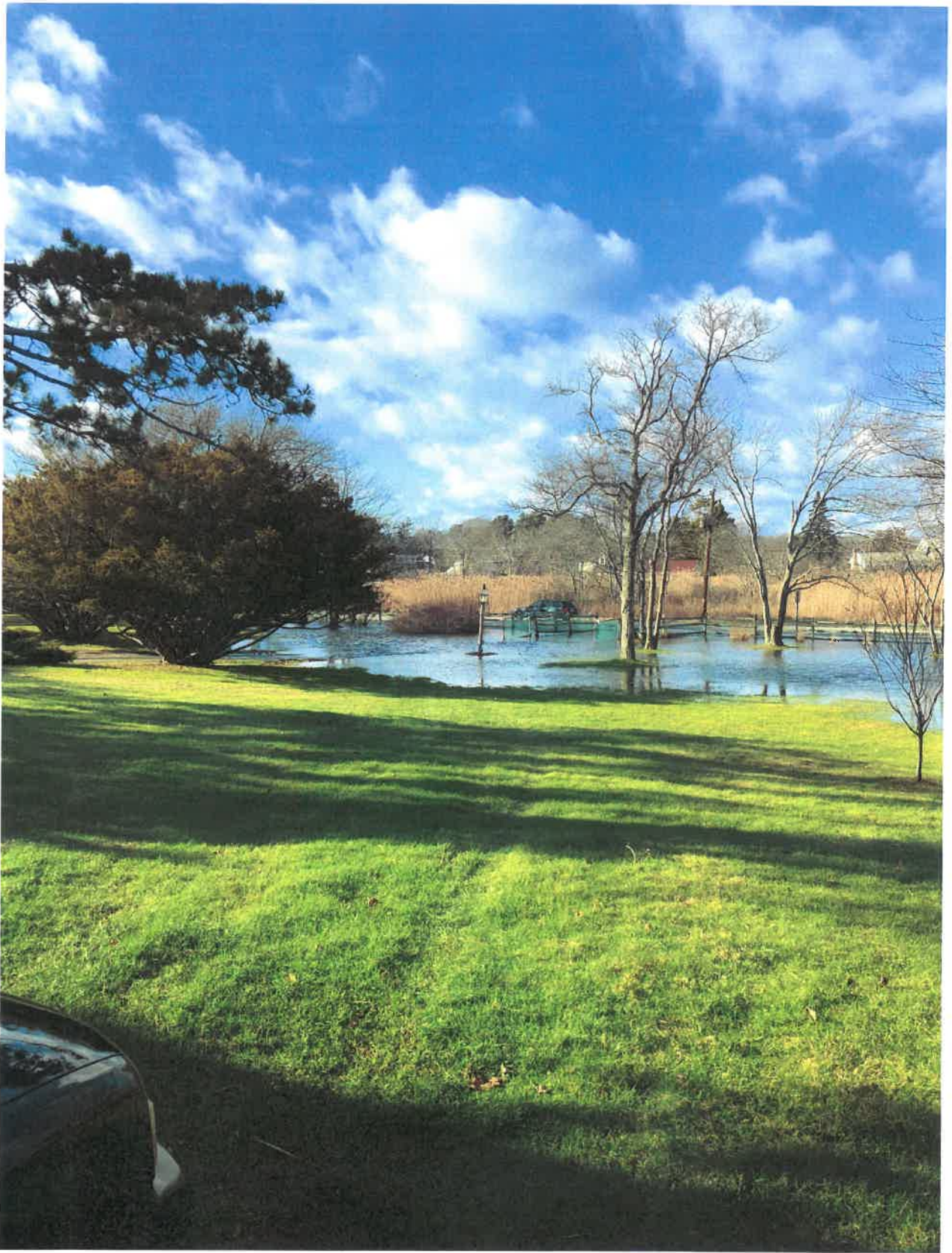
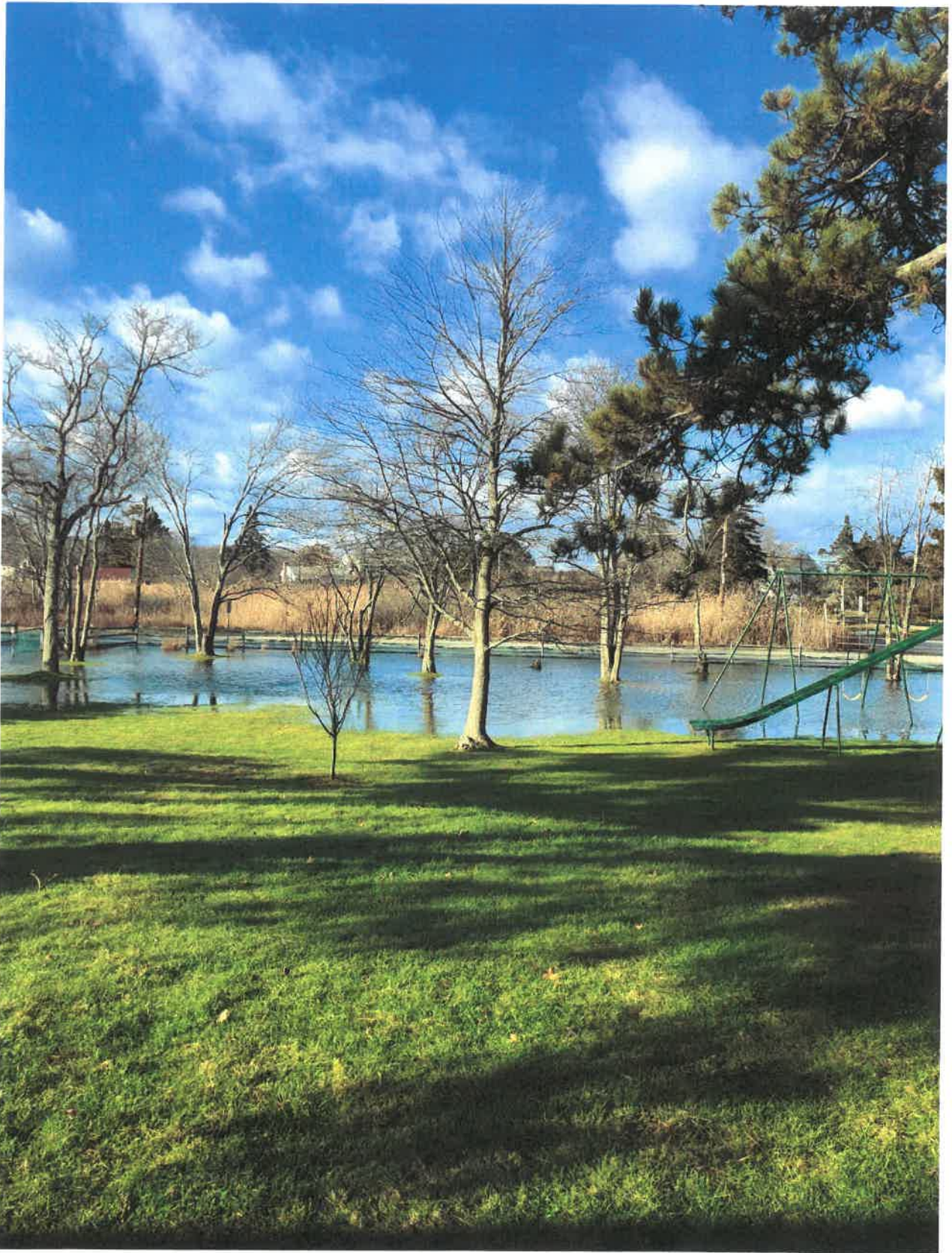


Photo of flooded abutting property. (date of photo unknown).



Alternate view of flood.

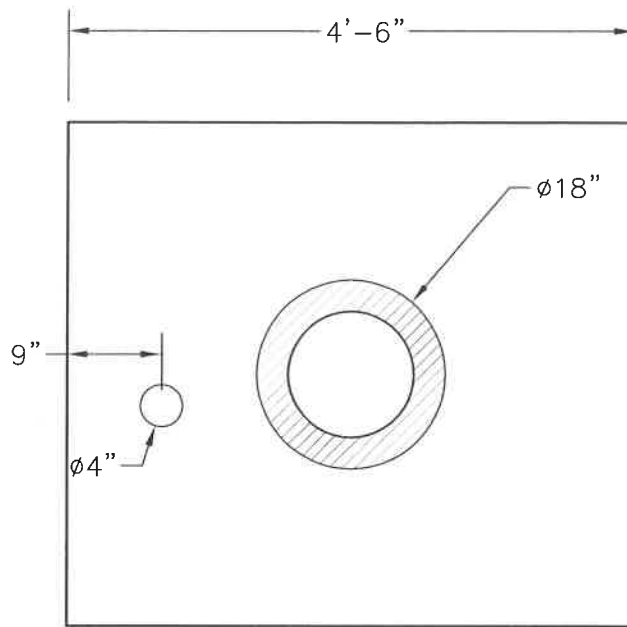


Alternate view of flood.

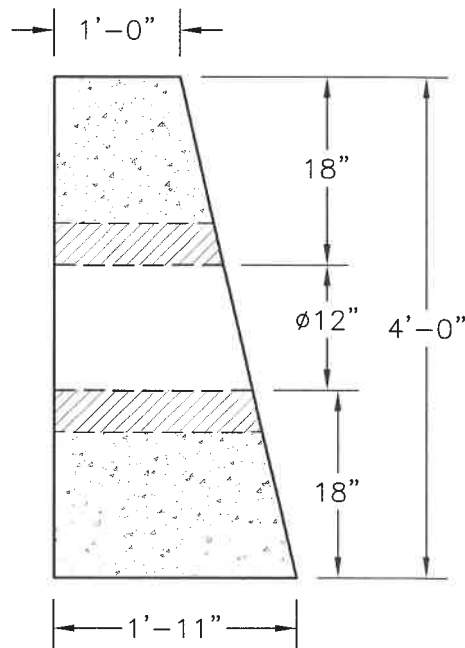
NORTH HAMPTON 42536 CONSTRUCTION SEQUENCE

NH ROUTE 1A

- Place wetland permit at visible location.
- Install Silt Sox and silt bag at predetermined locations
- Install sandbag cofferdam at outlet
- Install 3" and 4" hoses and start pumps for dewatering
- Saw cut pavement for trench
- Construct 10' X 10' X 2' catchment at outlet to include non woven geotextile and class C stone
- Establish one way alternating traffic to install the culvert one lane at time.
- Excavate to required depth of trench to allow 6" of structural fill to support the 12" RCP
- Set up pipe laser for slope and line of culvert
- Install concrete headwall and entire length of culvert and backfill to required height
- Maintain dewatering and BMP's.
- When backfill is complete breakdown dewatering equipment and remove sandbag cofferdam
- Following day, pave trench
- Hydro seed and reestablish wetland



FRONT VIEW



SIDE VIEW

NOTES

1. CONCRETE: FC = 4,000 PSI @ 28 DAYS MIN
2. REINFORCING STEEL: ASTM-A615 GRADE #60

ITEM NO.

WEIGHT

HWSNHDOT-12

3,880 #



New England's Premier Precaster
800-696-7432 (SHEA)
www.sheaconcrete.com

773 Salem Street-Wilmington, MA 153 Cranberry Hwy-Rochester, MA
87 Haverhill Road-Amesbury, MA 160 Old Turnpike Rd-Nottingham, NH
Mail to: PO Box 520-Wilmington, MA 01887

N.H. DOT
12" PIPE HEADWALL

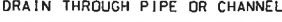
Page:

Drafter: NMB
Revision: 0
Date: 07.08.15

DWG: 12in PIPE NHDOT



SDR PROCESSED	NAME1
NEW DESIGN	NAME2



DGN	STATE PROJECT NO.	SHEET NO.	TOTAL SHEETS
Peropions	42536		